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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
WALTER SWIFT,)
)
Defendant.)

No. CR 12-0214 RS

STIPULATION AND [~~PROPOSED~~]
ORDER EXCLUDING TIME FROM
APRIL 17, 2012 TO MAY 8, 2012 FROM
CALCULATIONS UNDER THE SPEEDY
TRIAL ACT

The defendant, Walter Swift, represented by Elizabeth Falk, Assistant Federal Public Defender, and the government, represented by Cynthia Frey, Assistant United States Attorney, appeared before the Honorable Richard Seeborg on April 17, 2012 for an initial appearance. The defendant asked that the matter be continued to May 8, 2012. The Court set the matter to May 8, 2012. The parties agree that time is appropriately excluded under 18 U.S.C. § 3161, the Speedy Trial Act.

The defendant agreed that an exclusion of time is appropriate under the Speedy Trial Act between April 17, 2012 and May 8, 2012, for purposes of effective preparation of counsel, in

STIPULATION AND [~~PROPOSED~~] ORDER
CR 12-0214 RS

1 order to allow defense counsel with adequate time to review the discovery, conduct an
2 investigation, and consult with the defendant. In addition, the defendant agrees to exclude for
3 this period of time any time limits applicable under 18 U.S.C. § 3161. The parties represent that
4 granting the continuance, in order to provide defense counsel with adequate time to review the
5 discovery, conduct additional investigation, and consult with the defendant, is necessary for
6 effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §
7 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such a
8 continuance outweigh the best interests of the public and the defendant in a speedy trial. 18
9 U.S.C. § 3161(h)(7)(A).

10
11 SO STIPULATED:

12
13 MELINDA HAAG
United States Attorney

14 /s/

15 DATED: April 25, 2012

16 CYNTHIA M. FREY
Assistant United States Attorney

17 /s/

18 DATED: April 25, 2012

19 ELIZABETH FALK
Attorney for WALTER SWIFT

1 The Court finds that failing to exclude the time between April 17, 2012 and May 8,
2 2012 would unreasonably deny the defendant and counsel the reasonable time necessary for
3 effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §
4 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time
5 between April 17, 2012 and May 8, 2012 from computation under the Speedy Trial Act outweigh
6 the best interests of the public and the defendants in a speedy trial.

7 Therefore, IT IS HEREBY ORDERED that the time between April 17, 2012 and May 8,
8 2012, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C.
9 §§ 3161(h)(1)(G), (h)(7)(A), and 3161(h)(7)(B)(iv).

10
11
12 DATED: 4/25/12


HONORABLE RICHARD SLEBORG
United States District Judge